

## **REMARKS**

In the Office Action of August 10, 2004, claims 1-15 directed to a dynamic object-driven database manipulation and mapping system were examined. The Examiner has objected to claims, rejected claims, or indicated allowable subject matter as follows:

1. Claims 1-4, were rejected under 35 U.S.C. § 102(e), as being anticipated by Lindsay et al. (U.S. Patent No. 6,754,670 and Lindsay hereinafter).

2. Claims 1-15 were provisionally rejected under 35 U.S.C. § 101 based upon double patenting as claiming the same invention as claims 1-15 of later filed co-pending Application No. 10/430,004.

3. Claims 1-15 were provisionally rejected under 35 U.S.C. § 101 based upon obvious type double patenting over Claims 1-18 of later filed co-pending Application No. 10/396,216.

4. Claims 5-15 are *de facto* indicated as allowable over the cited prior art with the caveat that the informalities of paragraphs 2 and 3 (above) are overcome with respect to the double-patenting and obvious-type double patenting issues, and thus Claims 5-15 would be allowable over the prior art if re-written in independent form including all of the limitations of the base claim and any intervening claims.

With the above amendment, claims 1-15 (all of the prior claims) have been canceled without prejudice, and new Claims 16-30 have been added that correspond to the amended subject matter of cancelled claims 1-4 and to the subject matter of cancelled claims 5-15 that were indicated as allowable over the prior art (if rewritten in independent form with all of the limitations of the base claim and any intervening claims) and claims 16-have been added. Such amendments are made to expedite the prosecution of this case, only. Applicant reserves the right to assert the deleted or canceled subject matter in this case, or in a continuing application. Reconsideration of this subject matter is respectfully requested in view of the traversal of the prior art rejection included herein. After entry of the above amendment, Claims 16-30 are active in the case. The above rejections are addressed in part by the present amendments and are otherwise traversed by the arguments that follow.

**TERMINAL DISCLAIMER**

In view of the above amendments, new claims 16-30 are no longer exact copies of the later filed application claims and the double patenting rejection of the present claims under 35 U.S.C. § 101 as claiming the same invention as claims 1-15 of later filed co-pending Application No. 10/430,004.35 USC must be withdrawn . In any event, applicant agrees to either amend the claims of applicants' co-pending

Applications 10/430,004 and 10/396,216, or to cancel those claims upon receiving a notice of allowance for the present application claims. Moreover, applicants (through the undersigned attorney) hereby disclaim any term for the present application beyond the expiration dates of co-pending patent applications 10/430,004 or 10/396,216, whichever is later, should those applications later issue as patents.

**THE AMENDMENTS**

New base claim 16 has been amended to clarify that the claimed computer system comprises a “runtime respository” that is truly independent of software applications which delegate data source access to it, and to clarify that the applications delegating data source access to the runtime repository do not need to include any data source access mechanism classes within applications themselves.

See the definitions of “delegation” and “non-delegation” of database access at paragraphs 99 and 100 of this application as published on July 11, 2002. These definitions which are incorporated within the present claims clearly define non-delegation database access as where an object or programming application includes specific code imbedded in the application which directly controls database calls and

the generation of SQL strings.

As such, all of the rejections and objections of record are believed to be overcome with respect to new claims (16-30), which are believed to be in condition for allowance. Furthermore, new claims 16-19, which clarify original claims 1-4, are also believed to be in condition for allowance in view of the individual rejections and objections as addressed below.

**THE 102(E) REJECTION UNDER LINDSAY.**

Original claims 1-4 were rejected under 35 U.S.C. § 102 (e) as being anticipated by Lindsay, et al. (U.S. Patent 6,754,670, hereinafter Lindsay).

Applicant respectfully traverses this rejection in view of the above amendment with respect to new claims 16-19, and further in view of the fact that Lindsay did not anticipate the original claims 1-4 with respect to a computer system where data source access is truly delegated to an independent repository by object applications instead of data source access mechanism classes being included within classes of the applications itself.

More particularly, as described by the Examiner on pages 4 and 5, and

described on pages 5 and 6 of Lindsay, the system provided by Lindsay is not a data source access delegation system independent of the application. Instead, Lindsay provides skeleton data base access classes and SQL generation classes built by a sophisticated object programmer for a particular data source that can be used by a less sophisticated object programmer for that programmer to incorporate such classes into a application itself as a logic module classes (see particularly in the paragraph bridging pages 5 and 6 of Lindsay). The less sophisticated programmer of Lindsay does not need to understand the specific logic of the classes. But the incorporated classes that are developed by other more sophisticated object programmers who understand the data source schema and SQL logic are classes that are specifically for a data source schema and the author of these database access classes will need to both understand the data source and to maintain the classes if the data source schema is changed.

By contrast, the present system truly delegates data source access to a repository at runtime repository without the need for any data source mechanism classes being within the application itself. Thus, the runtime repository can be changed or the data source changed in the present system and the application

classes do not need to be changed. In fact, the same application can seamlessly access multiple data sources through the present repository without being aware of the data source itself. Such settings and access can be handled entirely by the runtime repository in the system.

Unlike the present system, the Lindsay classes within an application itself will need to be modified to work with a different data source by the provider of the classes. Also, the applications that incorporate the Lindsay classes are not portable to a new data source or useful with multiple data sources simultaneously without modification of the application data source mechanism classes within the application itself.

Thus, Lindsay describes a tool that programmers can use to develop applications that have data source access mechanisms imbedded within the applications. Lindsay does not teach a computer system that delegates data source access to an independent runtime repository.

Accordingly, this ground of rejection should be withdrawn.

Moreover, since there is no ancillary reference cited that would teach the

equivalence of the Lindsay system to the presently claimed system, the present claims are also not obvious over the Lindsay disclosure.

### **CONCLUSION**

Accordingly, applicant respectfully submits that the above objections and rejections have been overcome, and should be withdrawn. In view of the amendments (including corrections of informalities) and remarks, the present application is believed to be in condition for allowance. Based upon the aforementioned comments and amendments, it is urged that the claims are in condition for allowance, as is the remainder of the subject patent application. Favorable reconsideration is respectfully requested.

Should the Examiner have any questions, comments, or suggestions, or should issues remain, he is respectfully requested to contact the undersigned by telephone for a prompt and satisfactory resolution.

Respectfully submitted,  
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**PATENT**

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